

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Takashi YASUO et al.**

Serial Number: **Not Yet Assigned**
(§371 international application No. PCT/JP01/04505)

Filed: **January 29, 2002**

For: **FUEL CELL**

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

January 29, 2002

Sir:

Prior to the calculation of the filing fees of the above application, please amend the application as follows:

IN THE CLAIMS:

Please cancel claims 9 and 10 without prejudice or disclaimer.

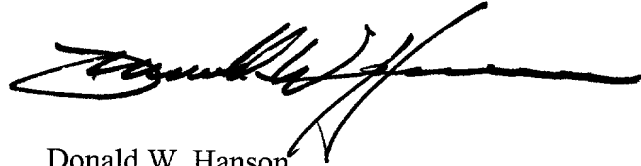
REMARKS

The above amendment is submitted to cancel claims 9 and 10 as to these claims have been cancelled under Article 19 in the international application. A copy of translation of the amendment to the claims under PCT Article 19 is enclosed. Early and favorable action is awaited.

In the event there are any additional fees required, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

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Date October 22, 2001

World Intellectual Property Organization
PCT Administration Division
34 Chemin des Colombettes
1211 GENEVE 20
Switzerland

"Amendment of the claimes under Article 19(1)(Rule 46)"

Re: International Application No. PCT/JP01/04505
Applicant: SANYO ELECTRIC CO., LTD. et al
Agent: Shiro NAKAJIMA
International filling Date: 29.05.01

Dear Sir.

The Applicant, who received the International Search Report relating to the above identified International Application transmitted on 29.05.01, hereby files amendment under article 19(1) as in the attached sheets.

Further claims 9 and 10 are canceled. Other claims are remain unchanged.

Very trury yours,

Shiro Nakajima
Shiro NAKAJIMA

Attachment:

(1) Amendment under Article 19(1)

1 sheet

6. The fuel cell of Claim 5, wherein

the carbon particles of the first layer are made of

(i) furnace black or

(ii) furnace black mixed with acetylene black, expanded graphite, fibrous graphite, or any combination thereof, and

the carbon particles of the second layer are made of

(i) acetylene black or

(ii) acetylene black mixed with furnace black.

7. The fuel cell of Claim 6, wherein

the carbon particles of the first layer have an average specific surface area ranging from 100 m²/g to 1000 m²/g inclusive, and

the carbon particles of the second layer have an average specific surface area of less than 100 m²/g.

8. The fuel cell of Claim 1, wherein

the cathode-side gas diffusion layer, made up of the first and second layers, has a water retention capacity ranging from 0.5 mg/cm² to 1.5 mg/cm² inclusive, and a water retention density ranging from 0.05 g/cm³ to 0.5 g/cm³ inclusive.

9. (cancelled)

10. (cancelled)

with 100% of the total amount of the contract. The contract is for a period of 12 months, starting from the date of signing. The contract is subject to the terms and conditions of the contract.